



COMMONWEALTH of VIRGINIA
Office of the Attorney General

William C. Mims
Attorney General

900 East Main Street
Richmond, Virginia 23219
804 - 786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120
7-1-1

March 13, 2009

Sandra K. Reen
Executive Director
Virginia Board of Dentistry
9960 Mayland Drive, Suite 300
Richmond, VA 23233-1463

**RE: 18VAC60-20-10 et seq., Regulations Governing the Practice of Dentistry
and Dental Hygiene**

Dear Ms. Reen:

You have asked whether the proposed changes to the above-cited regulations are exempt from the operation of Article 2 of the Administrative Process Act.

The proposed amendments, to conform regulations to changes in the Code pursuant to Chapter 858 of the 2006 Acts of the Assembly, are exempt in accordance with § 2.2-4006 A 4, which provides an exemption for regulations: *“Necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved.”*

Having satisfied all legal requirements, you may proceed to take the necessary steps to promulgate this exempt regulation with the Registrar of Regulations.

Sincerely,

A handwritten signature in black ink, appearing to be "C. Mims", written over a light blue background.

Senior Assistant Attorney General

c: Elaine J. Yeatts, Agency Regulatory Coordinator
Department of Health Professions